

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, February 3, 2015, in the Forum of City Hall.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland.

The invocation was offered by Mr. O'Neill, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Martin, seconded by Mr. O'Neill, the members approved the minutes of the January 6, 2015, regular meeting as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

FIRST READINGS—ORDINANCES

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

35-15 An Ordinance titled, "Authorizing the City Manager to enter into a three-year Standard Software Maintenance Agreement with New World Systems Corporation to maintain computer software used by the City's Public Safety Department, for a total amount not to exceed \$437,497 for the period April 1, 2015, through March 31, 2018."

36-15 An Ordinance titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Section 1102.02 titled *Definitions* by the enactment of Section 1102.02(m)(10), *Microbottler*, and 1102.02(t)(7), *Tap Room*, and the amendment of Section 1120.03 titled *Provisional Uses Permitted* by the enactment of subparagraph (b)."

37-15 An Ordinance titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Chapter 1141 titled *UPOD Unified Plan Overlay District*, Chapter 1153 titled *Off-Street Parking Regulations*, and Chapter 1158 titled *Tree Regulations*; and repealing existing Chapters 1141, 1153, and 1158."

38-15 An Ordinance titled, "Authorizing the exercise of the City's option to renew the contract with The Endurance Group LLC, dba Emerald Green Lawn and Landscape Pros, for boulevard mowing services, for an amount not to exceed \$35,959.35."

22-12 An Ordinance titled, "Authorizing the exercise of the City's option to renew the contract with Dayton Sweeping Service, Inc., dba DSS Sweeping Services, Inc., for the sweeping and cleaning of City streets, for an amount not to exceed \$162,590."

39-15 An Ordinance titled, "Authorizing the City Manager to enter into an LPA Federal Local-LET Project Agreement No. 26847 between the City and the Ohio Department of Transportation to provide the City with eligible costs of up to a maximum sum of \$679,000 for the CLA Bechtle Roundabout, PID No. 98860; and authorizing the City Manager, Law Director, and Finance Director to do all things they deem necessary to implement said agreement."

40-15 An Ordinance titled, "Authorizing the City Manager to enter into a contract with Chemical Services, Inc., for the purchase of Sodium Hypochlorite for use by the City's Wastewater Treatment Plant for a period of one year with an option to renew for two additional one-year periods, for an amount not to exceed \$79,560."

41-15 An Ordinance titled, "Authorizing the City Manager to enter into a contract with PVS Chemical Solutions, Inc., for the purchase of Liquid Sodium Bisulfite for use by the City's Wastewater Treatment Plant for a period of one year with an option to renew for two additional one-year periods, for an amount not to exceed \$52,000."

~~~~~ Next regular City Commission meeting: February 17, 2015. ~~~~~

### **FIRST READING—RESOLUTION**

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

**42-15** A Resolution titled, "Dedicating certain right-of-way owned by the City for the purpose of multi-use trails."

~~~~~ Next regular City Commission meeting: February 17, 2015. ~~~~~

SECOND READINGS—ORDINANCES

The following legislation was presented for a second time:

18-15 An Ordinance No. 15-27 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

19-15 An Ordinance No. 15-28 titled, "Dedicating certain rights in real estate acquired by and owned by the City for the purpose of making and repairing roads which shall be open to the public without charge, relative to the CLA-Bechtle Bridge Project."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

20-15 An Ordinance No. 15-29 titled, "Authorizing the City Manager to accept conveyance of an easement and dedicating those certain rights in real estate for the purpose of constructing, reconstructing, operating, and maintaining sewer infrastructure."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

21-15 An Ordinance No. 15-30 titled, "Authorizing the City Manager to enter into a Grant Agreement with the Turner Foundation for a grant to partially support CultureFest 2015 in an amount up to \$1,000; and authorizing the City Manager, Finance Director, and Director of Community Development to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state, and federal legal requirements."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY ORDINANCES

The following emergency legislation was presented for the first time:

43-15 Emergency Ordinance No. 15-31 titled, "Approving the transfer of appropriations within various funds, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

22-15 Emergency Ordinance No. 15-32 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

44-15 Emergency Ordinance No. 15-33 titled, "Authorizing the payment of up to \$66,600 to The Board of County Commissioners of Clark County, Ohio, to obtain planning services from Clark County-Springfield Transportation Coordinating Committee ("TCC") for the 2015 calendar year; confirming and approving all expenditures incurred prior to the passage of this Ordinance, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

45-15 Emergency Ordinance No. 15-34 titled, "Authorizing the City Manager to enter into a Cropland Lease Agreement (2015-2020) with Joseph Agle to lease 74.466 acres at the Springfield-Beckley Municipal Airport, of which 42.933 acres are tillable farmland; and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

85-12 Emergency Ordinance No. 15-35 titled, "Amending Ordinance No. 12-89 by increasing the authorized expenditure for the City's Emergency Repair Program to \$255,000; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

46-14 Emergency Ordinance No. 15-36 titled, "Authorizing the City Manager to apply for a grant with the Ohio

Department of Transportation, Municipal Bridge Program, to accept funding for the replacement of the Bechtle Avenue Bridge over the Lagoon and Snyder Park Drive; authorizing the City Manager and the Director of Finance to do all things necessary for the submission of the application and to comply with all relevant local, state, and federal legal requirements; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

167-14 Emergency Ordinance No. 15-37 titled, "Confirming and approving Change Order No. 1 (Final) to the contract between the City and A & B Asphalt Corporation for the Sidewalk Remediation at 4 West Main Street project to decrease the contract amount by \$9,000, for a total contract amount not to exceed \$222,183; authorizing the City Manager to execute said Change Order No. 1 (Final); and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

46-15 Emergency Ordinance No. 15-38 titled, "Confirming and approving an Access Agreement (2015 No. 1) with Cascade Corporation granting access to City property to permit the installation of two monitoring wells and two gas probes in front of several properties, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

47-15 Emergency Ordinance No. 15-39 titled, "Authorizing the City Manager to execute a Military Construction Cooperative Agreement No. W91364-15-2-2102 with the United States of America, National Guard Bureau, for the Relocate Main Gate Project No. WAAR129078 at the Springfield-Beckley Municipal Airport, and declaring an emergency."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

EMERGENCY RESOLUTIONS

The following emergency legislation was presented for the first time:

49-15 Emergency Resolution No. 5870 titled, "Reappointing Elaina Bradley to the Center City Community Reinvestment Area Housing Council and to the South Limestone Corridor Community Reinvestment Area Housing Council, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

50-15 Emergency Resolution No. 5871 titled, "Consenting to the reappointment of James E. Heath to the Board of Building Appeals, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

56-14 Emergency Resolution No. 5872 titled, "Amending Resolution No. 5824 by the amendment of Section 1 correcting the term ending date for Board of Health member Marianne Potina, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

MOTION

48-15 On motion Mr. Martin, seconded by Mrs. Duncan, staff members were directed, under Section 1174.01 of the Codified Ordinances, to prepare an ordinance rezoning the site of the former Community Hospital from CO-1, Community Office District, to RM-12, Low-Density, Multi-Family Residence District, for presentation to the Commission at its next meeting in order to assist Neighborhood Housing Partnership of Greater Springfield with the development of an acceptable planned housing overlay plan for said site.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

COMMUNICATIONS

The following communication was ordered received and filed:

- 52-14** Minutes of the December 15, 2014, meeting of the National Trail Parks and Recreation District.
- 275-14** Correspondence from Mr. Ian Maute, Buckeye Community Hope Foundation, concerning the tax-credit housing project at Opportunities Gardens, 1275 South Plum Street.

COMMENTS ON AGENDA ITEMS

- 22-12** Mrs. Duncan stated that despite the City's budget concerns, allocating money for the street sweeping contract protects the wastewater treatment plant. It offsets preventative maintenance and is well-spent money.
- Mr. Martin stated that the contract for street sweeping is funded through the sewer fund.
- 167-14** City Engineer Shanayda reported that the contract with A & B Asphalt Corporation for the 4 West Main Street sidewalk remediation will be reduced \$9,000 as a result of liquidated damages.
- Mr. Martin stated he was pleased the project was completed. He wished the building's new owner well.
- 46-15** Assistant City Manager and Economic Development Administrator Franzen stated that the administrators of the Cascade Corporation have been in contact with each the property owners involved with the company's project to install monitoring wells and gas probes. Cascade is working in conjunction with the Health District.
- 48-15** Mr. Martin referenced the City Commission's motion to rezone the former Community Hospital site and noted the effort assisted Neighborhood Housing Partnership. NHP is attempting to secure tax-credit funding to build a multi-family residence project on the property. It is necessary for eligibility purposes that the appropriate zoning is in place prior to the tax-credit application period.
- Mr. Copeland indicated that if the application is successful and before the development can commence, NHP must go before the City Planning Board to finalize the overlay district necessary for the residential construction.

COMMENTS FROM THE COMMISSION

- 51-15** With regard to the state's legislation eliminating red-light cameras at high-traffic-volume intersections, Law Director Strozdas reported that the statute goes into effect on March 23. A group of cities may challenge the statute in the courts under home-rule authority.
- Mr. Copeland noted that the posted cameras are not illegal, but a police officer must be present when the violation occurs.

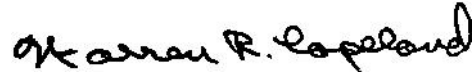
COMMENTS FROM THE AUDIENCE

- 13-15** Mr. Sam Doyle, 29 East Third Street, requested the definition of an *emergency* with regard to passing an ordinance and the definition of *general welfare*. Mr. Copeland directed the Law Director to provide the appropriate definitions.
- Mr. Raymond Upshaw, 325 West Liberty Street, discussed parents supporting their children.
- Mr. David Sanford, 514 Fremont Avenue, addressed junk cars and length of time necessary to abate such a nuisance.
- 52-15** Mr. William Robinson, 601 East Grand Avenue, stated he represented the Church of God. The church wishes to complete the purchase of property on East Street currently owned by the City.
- Deputy City Manager Heck stated that the purchase contract will be placed before the City Commission at its February 17, 2015, meeting.

There being no further business, on motion of Mr. Martin, seconded by Mrs. Duncan, the meeting was adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION